

Appl. No. 09/587,403
Amdt. Dated March 25, 2005
Reply to Office Action of January 13, 2005

Attorney Docket No. 81866.0025
Customer No.: 26021

Remarks:

This is in response to the final Office Action mailed on January 13, 2005.
Reexamination and reconsideration are respectfully requested.

Applicant requests the withdrawal of the finality of the Office Action because the Office Action fails to comply with Patent Office rules. With respect to claim 1 and its dependent claims, the final office action fails to follow the Patent Office's examination procedures for claim limitations defined under 35 U.S.C. § 112, ¶ 6. See MPEP 2183. No structures have been identified in the cited reference, in violation of the requirement that "the examiner should provide an explanation and rationale in the Office action as to why the prior art element is an equivalent." Consequently the claims have not been properly examined or rejected. The final Office Action is improper and should be withdrawn.

The Primary Reference to Waters Teaches Nothing About a Domain Management System

The Office Action rejects claims 1-20 over the prior art, with the primary reference being U.S. Patent No. 6,564,216 to Waters. The Waters patent describes a way of managing requests to a database holding configuration information in a network that dynamically assigns IP addresses. In such a network a computer may not have a static IP address and so a computer associated with a domain name may be assigned different IP addresses following a dynamic assignment. The Waters patent does nothing about changing information related to a domain name within the domain name system or a similar database authoritative for that type of information for the domain name. Rather, the Waters patent monitors varying IP assignments for a network.

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Applicant submits that the Waters patent does not teach the system for managing domain names and verifying changes defined by the claims of the present application. The Waters patent does not describe any mechanism to determine if an operator or user has the authority to modify the information for a domain name. The Waters patent does not describe any mechanism to authenticate an operator's authority to modify the information for a domain name. Rather, the Waters patent only discusses how to keep track of the varying configuration of a computer network having dynamic assignment of IP addresses.

Moreover, the Waters patent does not teach or suggest the *sequence* of first (1) making a domain name active, then (2) accepting a request to change information about that domain name and then (3) generating a confirmation message, confirming action on the change request, for display. This *sequence* is recited in both of the independent claims in this application and is not taught or suggested by the art of record.

The Waters Patent Never Generates a Display of a Request for Authentication, Never Generates a Display for Making a Domain Name Active and Never Generates a Display of a Confirmation Message

The primary reference cited against the application is U.S. Patent No. 6,564,216 to Waters (the Waters patent). With respect to *independent* claim 7, which is defined in three distinct paragraphs, the rejection states in its entirety:

The limitation of generating messages to acknowledging authentication of party seeking access to the domain management system, identifying active domain management system, identifying active domain and issuing update requests is disclosed by Waters (column 9, lines 5-18). Note this can include a graphics interface for use, or polling devices. Claim 7 is rejected.

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Office Action at 2.

Column 9, lines 4-18 of the Waters patent states:

In one embodiment, the NMS 205 could be a graphical user interface (GUI) running on a powerful computer such as a workstation. FIG. 7 provides a flow diagram which illustrates a method of the described embodiment for determining the operational status of the DNS 202A-N and DHCP 203A-N servers on the network and transmitting the status information to the NMS 205. The server manager 201 polls the servers every 40 seconds to determine if the server is still running or if it has stopped, step 701..sup.20 The server generates an alarm or warning to indicate its operating status and communicates the message to the server manager 201, step 702. The message could contain information such as a key word to trigger the correct plug-in, the severity of the alarm, the specific server-id, and an alarm code to indicate the problem.

It appears from FIG. 1B and FIG. 2 that NMS 205 relates to the implementation of SNMP (simple network management protocol). Those of ordinary skill will be familiar with SNMP as a standardized protocol for monitoring the operational status (such things as power supply temperature and fan operation) of servers on a network. From the context of the cited passage of the Waters patent, one can guess that NMS 205 may provide a graphical depiction of the operational status of all of the resources of the network.

The NMS 205 referenced in the passage is consequently a graphical display of the operational status of servers on a network. The cited passage has nothing to do with domain names.

Claim 7 Distinguishes over the Waters Patent

Thus, there is nothing in the cited passage of the Waters patent about:

an authentication interface generator that generates a message that, when received by an operator terminal, at least in part causes display on the

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operator terminal of a request for authentication from a party seeking access to the domain management system.

There is nothing in the Waters patent about any software or computer system that includes an authentication interface generator as defined in this limitation of claim 7. None of the servers or computers described in the Waters patent ever causes *display* of a request for authentication. Consequently the Waters patent does not meet this limitation of claim 7.

Similarly, there is nothing in the cited passage of the Waters patent about:

a domain identification interface generator that generates a message that, when received by the operator terminal, at least in part causes display on the operator terminal of a request for input from an operator seeking access to the domain management system of a domain name to be an active domain name; and

There is nothing in the Waters patent about any software or computer system that includes an domain identification interface generator as defined in this limitation of claim 7. None of the servers or computers described in the Waters patent ever causes *display* on an operator terminal of a domain name. That would never occur in the NMS 205 of the cited passage of the Waters patent, which is interested in whether a "server is still running or if it has stopped," Waters at column 9, line 12, and would never be used to select a domain name or in any way make that domain name "active." Consequently the Waters patent does not meet this limitation of claim 7.

Still further, there is nothing in the cited passage of the Waters patent about:

an information change engine that accepts requests to change information about the active domain name, passes an information change request to an authoritative database for like information about domain

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names, and generates a confirmation message that, when received by the operator terminal, at least in part causes display of a screen confirming execution of the information change request.

There is nothing in the Waters patent about any software or computer system that includes an information change engine as defined in this limitation of claim 7.

There is nothing in the cited portion of the Waters patent that would ever generate a confirmation message regarding changes requested to information about an active domain name and nothing that would ever generate a display screen confirming execution of the information change request. *The Waters patent describes absolutely nothing about (1) accepting a request to change information for a domain name or (2) generating confirmation of an action to change information about the active domain name which causes display of the confirmation information.* Consequently the Waters patent does not meet this limitation of claim 7.

Finally, the Waters patent does not teach or suggest the *sequence* of first (1) making a domain name active, then (2) accepting a request to change information about that domain name and then (3) generating a confirmation message, confirming action on the change request, and causing display of the message. This *sequence* is nowhere taught in the Waters patent or in any other art of record.

Since the Waters patent does not meet any of the limitations of claim 7 of the application and none of the references suggest any of these limitations of claim 7, claim 7 and its dependent claims distinguishes over the art of record and is in condition for allowance.

Claims 8-11 and 18-20 Distinguish over the Waters Patent for Additional Reasons

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Claim 8 recites an engine that executes a diagnostic utility request about an active domain name. There is nothing in the Waters patent about performing a diagnostic related to a domain name. What the Office Action cites as support for the rejection is an SNMP activity which, as explained clearly in the Waters patent, is only interested in whether a server is working or not. As such, the Waters patent does not teach anything relevant to claim 8 and claim 8 distinguishes over the art of record for this additional reason. Claim 20 recites a limitation similar to claim 8 and further distinguishes over its base claim 17 for the additional reasons discussed in this paragraph.

Similarly, there is nothing in the Waters patent about a diagnostic utility that at all accesses a registry, a zone file or name servers. The Office Action makes reference to column 9, lines 5-35 of the Waters patent in rejecting these claims. The cited section of Waters again relates only to SNMP functions, which are monitoring whether servers are operational or not. There is nothing in the cited sections or elsewhere in the Waters patent about performing diagnostics related to domain names, zone files or name servers. Absolutely nothing. As such each of claims 9-11 cite limitations that are not found or suggested in the cited art and so distinguish over the art of record for these *additional* reasons.

Claims 18 and 19 recite the generation of a function selection interface with a plurality of selectable functions for managing a domain name. The Office Action cites the same passage of the Waters patent extending from line 5 to line 18 of column 9. Again, that passage deals only with an interface showing operation of an SNMP activity – whether servers are operating or not – and has nothing to do with the management of a domain name. The cited section and the rest of the Waters patent are not relevant to the additional subject matter cited by claims 18 and 19.

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Consequently, claims 18 and 19 further distinguish over the cited art and are in condition for allowance for these *additional* reasons.

The Office Action Did Not Properly Reject Claims 1-6 and Claims 1-6 Distinguish Over the Waters Patent

Claim 1 of this application is unambiguously written using the formalism of 35 U.S.C. § 112, ¶ 6. Yet claim 1 was not examined as required by MPEP 2183. Nowhere is there a consideration of whether the structures underlying each of the means plus function limitations are present exactly or equivalently in the Waters patent. No structures have been identified in the cited reference, in violation of the requirement that "the examiner should provide an explanation and rationale in the Office action as to why the prior art element is an equivalent." MPEP 2183. Consequently, the Office Action unquestionably fails to set forth a *prima facie* case of obviousness over the cited art. See 35 U.S.C. § 112, ¶ 6, MPEP 2183. The rejection of claims 1-6 should be withdrawn.

Claim 1 recites "domain identification means, coupled to receive input from a party seeking access to the domain management system, for accepting and confirming identity of a domain name to be an active domain name." Later in the claim the active domain name is subject to a request to change information. That never occurs in the Waters patent. Never is a domain name made active and then acted upon by any software or computer system within the Waters patent. Never does the Waters patent system execute the *sequence* of first (1) making a domain name active, then (2) accepting a request to change information about that domain name and then (3) generating a confirmation message, confirming action on the change request, for display. This *sequence* is nowhere taught in the Waters patent or in any other art of record.

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Nor does the Waters patent have the recited "domain identification means." The Office Action cites column 5, lines 19-58 and column 7, lines 16-19 of the Waters patent as teaching this limitation. What the cited passage from column 5 describes is the dynamic assignment of IP addresses and the associated record keeping and communications necessitated by dynamic assignment. The central database checks to see if it has an IP address to assign and determines if it can assign it. Waters at 5:38-44. There is nothing in this section of column 5 about selecting domain names to be active. Further, Waters is concerned with the assignment of an IP address based upon its availability. Applicant's claims are not based upon the availability of IP addresses for assignment, nor do the claims make available any functionality which assigns a domain name to the user.

The cited section of column 7 deals with "host commits" from DHCP servers. This passage deals with the DHCP servers themselves obtaining domain names from the database 204 so that the domain name can be associated with a dynamic IP address. There is nothing in the cited section about selecting a domain name and making that domain name active for subsequent changes to that domain names information. As such, nothing in the cited portions of the Waters patent is relevant to this limitation of claim 1. Further, there is nothing in the applicant's claims associated with the dynamic assignment of IP addresses to a domain name.

Claim 1 further distinguishes over the Waters patent by reciting "means for determining if the party has authority to alter information about the active domain name and, if the party lacks authority for the active domain name, determining if the party should be given authority for the active domain name." The Waters patent does not provide any mechanism for altering information about a domain name. Rather, the Waters patent describes a network with dynamic assignment of IP addresses. The Office Action cites column 7, lines 16-29 of the Waters patent.

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Again, the cited section of column 7 deals with "host commits" from DHCP servers. This passage deals with the DHCP servers themselves obtaining domain names from the database 204 so that the domain name can be associated with a dynamic IP address. There is nothing in the cited section about determining if a party has authority to act for a domain name *previously made active*. As such, nothing in the cited portions of the Waters patent is relevant to this limitation of claim 1.

Still further, claim 1 recites, "information change means for accepting a request to change information about the active domain name, passing an information change request toward a database authoritative for like information about domain names, and generating a confirmation message displayable to a party using the domain management system." The cited section of the Waters patent deals only with the mapping of dynamic IP addresses onto client computers within the database 204. There is nothing in the cited section or elsewhere in the Waters patent about accepting a request to change information about a domain name *previously made active*. *Nor is there anything about generating a confirmation message about the change to the domain name*. As such, nothing in the Waters patent is relevant to this limitation of claim 1.

Consequently, the Waters patent meets none of the limitations of claim 1 and so claim 1 and its depending claims 2-6 distinguish over the art of record and are in condition for allowance.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los

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Angeles, California telephone number (213) 337-6700 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
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Date: March 25, 2005

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